IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 7761 of 2007

Date of Decision: May 22, 2007

Hira Singh …Petitioner

Versus

State of Haryana and others …Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. R.S. Manhas, Advocate,
for the petitioner.

JUDGMENT

M. M. KUMAR, J. (Oral)

The prayer made in this petition filed under Article 226 of the Constitution is for quashing order dated 7.3.2007 (P-3) whereby 5% of the licence fee, which comes to Rs. 1,00,000/-, has been forfeited. It is undisputed that the petitioner has participated in the draw of lots for allotment of liquor vends L-14A in the respondent State for the year 2007-08. He was successful but refused to avail the same. Consequently, fresh draw of lot has to be held and the claim of the petitioner for refund of Rs. 1,00,000/-, which was deposited as security on 26.2.2007, has been rejected placing reliance on clause 2.11 of the Excise Policy of the current year 2007-08.

After hearing learned counsel for the petitioner, we are of the considered view that no direction could be issued to the respondents as no legal right has arisen in favour of the petitioner. The forfeiture of Rs. 1,00,000/- of security amount is strictly in accordance with the terms and conditions of the Excise Policy 2007-08. There is no merit in the writ petition.

Dismissed.

(M.M. KUMAR)
JUDGE

(RAJESH BINDAL)
JUDGE

May 22, 2007
Pkapoor